



Order Filed on December 28, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**  
STERN, LAVINTHAL & FRANKENBERG, LLC  
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Attorney for Secured Creditor,  
Carrington Mortgage Services, LLC  
as servicing agent for Bank of America, N.A.  
By Maria Cozzini, Esq.

In Re:

**Fayiah P. Johnson**

Debtor(s).

Case No.: 17-34273-MBK

Chapter: 13

Hearing Date:

Judge: Michael B. Kaplan

**ORDER RESOLVING MOTION TO VACATE STAY  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through three (3) is **ORDERED**

**DATED: December 28, 2020**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: Fayiah P. Johnson

Case No: 17-34273-MBK

Caption: Order Resolving Motion to Vacate Stay with Conditions

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Applicant: Carrington Mortgage Services, LLC as servicing agent for Bank of America, N.A.  
Applicant's Counsel: Stern Lavinthal & Frankenberg, LLC  
Debtor's Counsel: Thomas G. Egner  
Property Involved ("Collateral"): 451 S. Logan Ave., Trenton, NJ 08629

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 6 months, from July, 2020 to December, 2020.
- The Debtor is overdue for 6 payments at \$883.38 per month.
- Creditor acknowledges receipt of funds in the amount of \$1,766.76 received after the motion was filed.
- Less Funds held in debtor(s) suspense \$600.56

Total Arrearages Due \$2,932.96

2. Debtor must cure all post-petition arrearages, as follows:

- Creditor agrees to have balance of arrearages in the amount of \$2,932.96 placed into the Debtor's Chapter 13 Plan, which amount will be paid to the Creditor over the life of the Plan.
- Beginning on January 1, 2021, regular monthly mortgage payments shall continue to be made in the amount \$883.38

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3. Payments to the Secured Creditor shall be made to the following address(es):

- ✓ Immediate payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806
  
- ✓ Regular monthly payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806
  
- ✓ Monthly cure payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806

4. In the event of Default:

- ✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.
- ☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.  
The fees and costs are payable:
  - ✓ through the Chapter 13 plan.
  - ☐ to the Secured Creditor within \_\_\_\_\_ days.

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☐ Attorneys' fees are not awarded.